European Union Aviation Safety Agency

FAQ n.96126

FAQs:

DAT, Air Traffic Management (ATM) / Air Navigation Services (ANS), Regulations

Question:

Are VFR flight planning and navigation software under the scope Regulation (EU) 2017/373?

Answer:

The provision of data services (= production of databases for certified a/c application/equipment by the DAT providers that would be subject to certification) has been extended from navigation databases (i.e. the current LoA holders' activities) to aeronautical databases' activities. To better illustrate the meaning of the DAT provider's scope of activities (DAT.OR.100), GM1 DAT.OR.100 Aeronautical data and information provides examples of databases provided by certified DAT providers.

In reference to the VFR Databases, GM1 DAT.OR.100(b)(3) is regarding applications/equipment installed on aircraft certified exclusively for VFR operations. In this context, only those databases used for primary navigation to meet the airspace usage requirements (for example, operations in the airspace where Precision Area Navigation (P-RNAV) is required) would be in the scope of the new DAT requirements.

More concretely, any VFR flight-planning software should be out of the scope of the products provided by certified DAT providers. In addition, as illustrated in GM1 DAT.OR.100, paragraph (b), the organisations putting these products in the market would not be required to be certified in accordance with Regulation (EU) 2017/373. However, it should be clarified that if the mentioned databases were to be fed/used on certified a/c application/equipment (exempted VFR cases addressed above), then the DAT providers would be subject to certification. To illustrate with an example, the airport moving map could be used a non-certified EFB application under operator responsibility, or could be fed into a certified aircraft application (covered by TC/STCs). Consequently, the latter case will fall into the regulation's scope.

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